
A G E N D A I T E M S U M M A R Y

Reference No: CB-14-1990

Draft No: 2

P r i n c e G e o r g e ' s

Meeting Date:

C o u n t y C o u n c i l

Requestor: P B

Item Title: An Ordinance to establish requirements for moderately priced dwelling units in certain zones, and to provide for density increments for the provision of MPDU's

Sponsors P B

Date Presented	1/30/90	Executive Action	___/___/___	—
Committee Referral	(2) 6/26/90	C.O.W.	Effective Date	___/___/___
Committee Action	(3) 4/17/90	NR(A)		
Date Introduced	5/1/90			
Pub. Hearing Date	(1) 6/5/90	7:00	PM	

Council Action (1) 6/26/90 Recommitted
Council Votes B_: A_, CA: N_, C_: A_, CI: __, MC: A_, M_: A_,
P_: A_, W_: A_, WI: N_, __: __, __: __, __: __
Pass/Fail P

Remarks See also CB-84-1990

Drafter:	Resource Personnel:
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LEGISLATIVE HISTORY

COMMITTEE-OF-THE-WHOLE REPORT

DATE: 4/16/90

Committee Vote: No recommendation as amended, 5-2-0 (In favor: Council Members Bell, Casula, Pemberton, Castaldi, and Mills; in opposition: Council Members Wineland and Wilson).

Council Member Pemberton proposed a number of amendments to the legislation as it had been amended at the previous COW worksessions. The following amendments were accepted by the Committee:

- o When the entire 10% density increment cannot be achieved, alternative compliance will be permitted for the portion of the requirement that cannot be achieved.

- o The legislation shall not apply to approved preliminary plans

submitted after June 30, 1990, including those that undergo modifications that do not affect the density of the subdivision.

o Regulations regarding lot area, lot coverage, lot width and yard area may be reduced, and the amount of the reduction will be determined at the time of preliminary plat of subdivision and Detailed Site Plan.

The following amendments were proposed and rejected by the Committee:

- o Inclusion of R-E Zoned property in the program;
- o Permitting attached units in the single-family detached zones, provided no more than 6 units are attached and the building design and architectural features provide the appearance of a single-family detached unit; and
- o Requirement for Council review of the architectural design of MPDUs, rather than Detailed Site Plan review.

Bill Shipp, representing the SMBIA, proposed an additional grandfathering amendment for CDZ, MXT and TDO developments. He stated that in these zones, many of the details of the project, particularly regarding density, are established at the time of zoning. Therefore, any projects of this type that have already been zoned should be exempt from MPDU requirements. The Committee rejected this proposal.

COMMITTEE-OF-THE-WHOLE REPORT

DATE: 3/19/90

HELD in Committee.

The Committee discussed the appropriateness of the requirement for MPDUs in the large lot zones. Council members Pemberton and Bell discussed the need for equity in the MPDU program, and added that alternative compliance may be used in many cases in these zones if the MPDUs are not compatible with the surrounding area. Council members Wineland, Casula, Castaldi and Cicoria supported the exemption of these zones.

The issue regarding the inclusion of townhouses and other attached dwellings in all zones was also discussed. Council member Castaldi proposed limiting townhouses to the zones in which they are currently permitted, and excluding them in the other single-family zones. Council Member Pemberton argued that this would make the program infeasible, and townhouses are necessary to the success of the program. She proposed permitting townhouses in all zones, and allowing the decision of their inclusion in a development to be made at the time of preliminary plat of subdivision. Council members Wilson and Bell concurred. Tom Haller, representing the Chamber of Commerce, and Hamer Campbell, representing the SMBIA, opposed the exclusion of townhouses in the single-family zones. Gail Wheat, representing the Prince George's Municipal Association, supported the exclusion of townhouses in the zones where they are not currently allowed.

The Committee made the following amendments to Draft 1 of CB-14-1990:

1. The MPDU requirements shall not apply to development in the OS, RA and RE Zones.
2. Townhouses and other attached units are excluded from the

single-family (R-R, R-80 and R-55) zones.

COMMITTEE-OF-THE-WHOLE REPORT

DATE: 2/20/90

HELD in Committee.

The Committee agreed on the following issues:

- o Ten percent of all the units in a development must be MPDUs.
- o In exchange, a 10% density bonus will be given, provided the total number of units does not exceed the maximum density currently allowed in the Zoning Ordinance.
- o Detailed Site Plan shall be required for all developments that include MPDUs.
- o The proposal allowing additional density bonuses to be granted in the CDZ and MXT Zones for the provision of additional MPDUs was rejected.
- o The proposal allowing a density of 12 units per acre in the R-T Zone was rejected.
- o The Board of Appeals may not grant variances from MPDU requirements.
- o Companion subdivision legislation should be drafted.

The following issues were unresolved, and will be addressed at the next worksession.

- o The zones where MPDUs shall be required.
- o The allowance of townhouses and cluster subdivision.
- o The waiver of regulations regarding lot coverage, lot width, and yard requirements.
- o The staging of construction of MPDUs within a development.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This bill establishes requirements for moderately priced dwelling units in certain zones, and provides for density increments for the provision of moderately priced dwelling units. This is a companion bill to two others establishing the "CHOICE" fund and the moderately priced dwelling unit program in the County.